

## CITY OF NEWPORT PUBLIC NOTICE<sup>1</sup>

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Newport, Oregon, will hold a public hearing to consider the following Conditional Use Permit and Adjustment Permit request:

**File No. 4-CUP-23 / 2-ADJ-23**

**Applicant & Owner:** Jon Conner, applicant (Pacific Communities Health District, owner) (Teresa Kruse, Clark Kjos Architects, LLC, representative).

**Request:** Consideration by the Planning Commission of a request for a conditional use permit and adjustment permit per Section 14.03.050/“Residential Uses” of the Newport Zoning Ordinance, for a conditional use permit to renovate an existing 4,700 SF building as a residential unit to serve 16 clients and add an approximately 8,300 SF addition on the east side of the building to be used for counseling and support services for both the residential unit and extended outpatient programs. The “Residential Care Facility” is allowed outright in the R-4 “High Density Multi-Family Residential” zone. The outpatient counseling and administrative offices are considered a “Professional Office” use in the Newport Zoning Code, requiring Conditional Use approval. The exterior of the site will be redeveloped with a new parking lot providing 20 stalls and a new driveway on the north side of the building. The proposed north driveway will be 10 feet 6 inches wide, requiring an Adjustment to the minimum drive aisle width of 12 feet.

**Location/Subject Property:** 5840 & 5842 NW Biggs Street (Tax Map 10-11-29-BB, Tax Lot 4902).

**Applicable Criteria:** NMC Chapter 14.34.050; Criteria for Approval of a Conditional Use Permit: (A) The public facilities can adequately accommodate the proposed use; (B) the request complies with the requirements of the underlying zone or overlay zone; (C) the proposed use does not have an adverse impact greater than existing uses on nearby properties, or impacts can be ameliorated through imposition of conditions of approval; and (D) a proposed building or building modification is consistent with the overall development character of the neighborhood with regard to building size and height, considering both existing buildings and potential buildings allowable as uses permitted outright.

NMC Chapter 14.33.050; Criteria for Approval of an Adjustment: (A) Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and (B) Any impacts resulting from the adjustment are mitigated to the extent practical; and (C) The adjustment will not interfere with the provision of or access to appropriate utilities, nor will it hinder fire access; and (D) If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zoning district.

**Testimony:** Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances which the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Submit testimony in written or oral form. Oral testimony and written testimony will be taken during the course of the public hearing. Letters sent to the Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 3:00 p.m. the day of the hearing to be included as part of the hearing or must be personally presented during testimony at the public hearing. The hearing will include a report by staff, testimony (both oral and written) from the applicant and those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.797 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

**Reports/Application Material:** The staff report may be reviewed or a copy purchased for reasonable cost at the

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<sup>1</sup> Notice of this action is being sent to the following: (1) Affected property owners within 200 feet of the subject property according to Lincoln County tax records; (2) affected public utilities within Lincoln County; and (3) affected city departments.

Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, Oregon, 97365, seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost; or copies may be purchased for reasonable cost at this address.

**Contact:** Derrick Tokos, Community Development Director, (541) 574-0626 (address above in "Reports/Application Material").

**Time/Place of Hearing:** Monday, June 12, 2023; 7:00 p.m.; City Hall Council Chambers (address above in "Reports/Application Material").

**MAILED:** May 15, 2023.

**PUBLISHED:** June 2, 2023 /News-Times.

**Subject Property**

